



PATENT

Customer Number: 22,852  
Attorney Docket No. 04121.0116-01000

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Holly H. HOGREFE et al. ) Group Art Unit: 1652  
Application No.: 08/957,709 ) Examiner: D. Ramirez  
Filed: October 24, 1997 )  
For: POLYMERASE ENHANCING )  
FACTOR (PEF) EXTRACTS, PEF )  
PROTEIN COMPLEXES, )  
ISOLATED PEF PROTEIN, )  
AND METHODS FOR PURIFYING )  
AND IDENTIFYING THEM )

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Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE****STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents listed on the attached Form PTO 1449. This Supplemental Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Supplemental Information Disclosure Statement includes a certification as specified by Section 1.97(e).

Each document listed on the attached Form PTO 1449 was first cited in a communication in from the European Patent Office in a counterpart foreign application, and this Supplemental Information Disclosure Statement is being filed within three months of the mailing date printed on that communication.

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The Barnes reference was previously disclosed in the Information Disclosure Statement filed March 9, 1998 and the Accession Number Q02103 (1993) reference was cited by the Examiner in a February 27, 2002 Office Action. Copies of the other listed documents are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

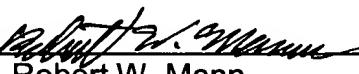
Applicants further reserve the right to take appropriate action to establish the patentability of the claimed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: January 14, 2003

By:   
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